IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 23417 of 2007(K)

PETITIONER:

THASNEEM MARIYAM.K.,
VADIHUDA, VADUTHALA,
NADUVATH NAGAR P.O.,
ALAPPUZHA DISTRICT.

BY ADV. SRI.P.M.PAREETH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, GENERAL EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF EDUCATION, ALAPPUZHA.

3. KERALA PUBLIC SERVICE COMMISSION,
REPRESENTED BY ITS SECRETARY,
PATTOM PALACE P.O., THIRUVANANTHAPURAM.

4. DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
DISTRICT OFFICE, ALAPPUZHA.

5. SECRETARY,
THURAVOOR GRAMA PANCHAYATH AND MANAGER
THURAVOOR GRAMA PANCHAYATH L.P.SCHOOL,
THURAVOOR, ALAPPUZHA DISTRICT.

BY GOVT.PLEADER SMT.SUDHA.
SC FOR KPSC SRI.P.C.SASIDHARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. Basheer, J.

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W.P(C) No. 23417 of 2007

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Dated this the 3rd day of August, 2007.

J U D G M E N T

Petitioner who had been enlisted in the ranked list published by the Kerala Public Service Commission for appointment to the post of Lower Primary School Assistant (Malayalam medium) had in fact received Ext.P2 advice memo from the Commission. However she could not join duty in the Thuravoor Grama Panchayat school since it was already treated as an uneconomic school. Thereafter the Department had informed the Commission to treat the advice as cancelled. It is in the above circumstances that the petitioner has preferred this writ petition.

2. Learned Government Pleader after getting instructions submits that vacancies are in fact available in Government Schools now, to accommodate the candidates in the list.

3. Learned Standing Counsel for the Commission submits that on August 1, 2007, the Department has reported 20 vacancies. Therefore there is no difficulty to accommodate the petitioner in accordance with the Rules of reservation, rotation etc. He submits that advice memo to the petitioner will be issued without any delay.

4. Since petitioner is holding rank No.1 in the list, I do not see any reason why the Commission should delay her advice for appointment. Therefore the Commission shall issue advice memo as expeditiously as possible, at any rate within two weeks from the date of receipt of a copy of this judgment. The Department shall also ensure that petitioner is given appointment in a Government school forthwith.

Writ Petition is disposed of in the above terms.

A.K. Basheer
Judge.

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